



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
11201 RENNER BOULEVARD
LENEXA, KS 66219

JUN 30 2014

OFFICE OF
THE REGIONAL ADMINISTRATOR

The Honorable Chris Koster
Attorney General of Missouri
P.O. Box 899
Jefferson City, Missouri 65012

Dear Mr. Koster:

This Agency has received your Freedom of Information Act request dated June 2, 2014 (EPA-RIN-2014-007050), seeking records in the possession of the Environmental Protection Agency "concerning any analysis, investigation or information generated by or for EPA concerning the transportation routes used to move soils or other materials from the Hazelwood Interim Storage Site in Hazelwood, Missouri to the West Lake Landfill (EPA MOD079900932) in Bridgeton, Missouri." Please note that the sampling effort which you are seeking the data for was not conducted by or for the EPA.

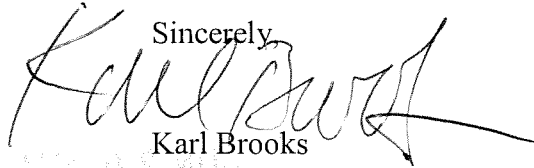
The EPA relies on the work and judgment of the agency that has the primary responsibility for conducting the investigation. In this instance, the EPA's consideration of the haul roads investigation and need for remediation was informed by the *North St. Louis County Haul Road Analysis and Justification for Additional Investigation – Evaluation of Inaccessible Materials Beneath Pavements*, dated January 7, 2005, and prepared by the U.S. Army Corps of Engineers. A copy of this report is provided along with EPA's response.

While the EPA has no obligation to seek records from other state or federal agencies to respond to a FOIA request, we have taken the unusual step of reaching out to the U.S. Department of Energy to ascertain whether it has responsive records. The records obtained by the EPA through this effort, as well as records that the EPA has obtained from the Missouri Department of Natural Resources and the USACE, can be accessed at the following URL:
<https://foiaonline.regulations.gov:443/foia/action/public/view/request/80294ea7>. For additional responsive records the EPA recommends you contact the organizations that performed the sampling, analysis and report writing -- USACE, DOE and MDNR.

I believe that a meeting with you and your staff, at a time and location convenient for you, would enable the EPA and the USACE to assist you in understanding the scope and results of the historical sampling efforts conducted on haul roads. This meeting will help establish a common understanding of the extensive body of historical sampling and analysis conducted along the routes used to move soils or other materials from HISS to the West Lake Landfill, as documented in the USACE's September 2, 2005 Record of Decision for the North St. Louis County Sites. I have discussed this proposed briefing with Colonel Christopher Hall, commander of the USACE St. Louis District Office, and he has assured me that he would make appropriate staff available for such a meeting.



I remain dedicated to partnering with the State of Missouri to carry out this Agency's public health duties connected to remediating the West Lake Landfill NPL site.

Sincerely,

Karl Brooks

cc: Colonel Christopher Hall, USACE
Sarah Parker Pauley, MDNR

Notice Regarding Appeal Rights

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, Email: hq.foia@epa.gov. Only items mailed through the United States Postal Service are delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOI number cited above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."